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| To: | Commissioner for Patents | From: | Jill Woodbum | | | | |
|--------|--------------------------|--------|-------------------|---|--|--|--|
| Fax: | (703) 872-9306 | Pages: | 23 | | | | |
| Phone: | | Dates | November 16, 2004 | | | | |
| Re: | 09/554,793 | . CC: | | _ | | | |

Applicant: Serial No.: Volker ZIMMER

Filing Date

09/554,793

September 19, 2000

Entitled:

Capillary Active test Element Having an Intermediate Layer

Situated Between the Support and the Covering

Examiner:

Quan, Elizabeth

Group No.:

1743

Ref. No.:

RDID 0043 US

Attachments:

- Transmittal Letter (1pp)
- Pee Transmittal (1pp)(duplicate)
- Amendment and Reply Under 37 CPR 1.111 (17 pp)
- Petition for Extension of Time Under 37 CFR 1.136 (a) (1pp)(duplicate)
- Fax Transmittal (Ipp)

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LAW OFFICE REWERPEURD CENTRAL FAX CENTER

NOV 1 5 2004

PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE ollection of information unless it displays a valid OMB control number. Under the Papenwork Reduction Act of 1995, no persons are required to respond **Application Number** 09/554,793 Filing Date **q**-19-2000 TRANSMITTAL First Named Inventor FORM Zimmor Art Unit 1743 Examiner Name Quan (to be used for all correspondence after initial filing) Attorney Docket Number RDID 00108 US Total Number of Pages In This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC ~ Fee Transmittal Form Drawing(a) Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC 1 Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information Provisional Application After Final Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Endosure(s) (please identify Terminal Disclaimer below): Extension of Time Request Fex Trensmittal (1pp) Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name The Law Office of Jill L. Woodburn, LLC Signature Printed name M L. Woodburn Date Reg. No. November 16, 2004 39874 CERTIFICATE OF TRANSMISSION/MAILING I hereby cartify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Date 11-16-2004 .≯Voodburn Typed or printed name

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PTO/SB/17 (10-04v2)

| | Approved for use through 07/31/2006, OMB 0651-0032 |
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| FEE TRANSMITTA | ᄂᆝ | Application Number | | | er 09 | 09/554.793 | | | |
| for EV 2005 | 1 | Filing Date | | | 9 | 9-19-2000 | | | |
| for FY 2005 | | First Named Inventor | | | tor Z/ | MHER | | | |
| Effective 10/01/2004. Patent fees are subject to ennual revision. | Examiner Name | | | ame | (3) | JAN. | | | |
| Applicant claims small entity status. See 37 CFR 1.27 | | Art Unit 1743 | | | 174 | 13 | | | |
| TOTAL AMOUNT OF PAYMENT (\$) 430.00 | Attorney Docket No. | | | | b. RD | RDID CO43 U.S | | | |
| METHOD OF PAYMENT (check all that apply) | FEE CALCULATION (continued) | | | | | | | | |
| Check Credit card Money Other None | 3. ADDITIONAL FEES | | | | | | | | |
| Deposit Account: | Large Entity Small Entity Fee Fee Fee Fee Fee Fee Description | | | | | | | | |
| Deposit SU-0877 | Fee Cod | | Code | (\$) | F00 | Description | Fee Paid | | |
| Number | 1051 | 1 130 | 2051 | | • | s filing fee or oath | | | |
| Deposit ROCHE DIAGNOSTICS GMBH | 1052 | 2 50 | 2052 | | Surcharge - lete cover sheet | e provisional filing fee or | ├ | | |
| Name The Director is authorized to: (check all that apply) | 1053 | | 1053 | | Non-English sp | | | | |
| Charge fee(s) Indicated below Credit any overpayments | | 2 2,520 | 1812 | -• | | filing a request for ex parte reaxamination Lucating publication of SIR prior to | | | |
| Charge any additional fee(s) or any underpayment of fee(s) | 1804 | 920° | 1804 | 920 | Examiner action | | | | |
| Charge fee(s) indicated below, except for the filling fee to the above-identified deposit account. | 1805 | 5 1,840* | 1805 | 1,840* | Requesting pul Examiner action | bilcation of SIR after n | | | |
| FEE CALCULATION | 1251 | 110 | 2251 | 55 | Extension for n | eply within first month | 430 | | |
| 1. BASIC FILING FEE | 1252 | - | 2252 | 215 | | eply within second month | 430 | | |
| Large Entity Small Entity Fee Fee Fee Fee Fee Fee Paid | 1253 | | 2253 | | | eply within third month | —— [] | | |
| Fee Fee Fee Fee Fee Paid Code (\$) Code (\$) | ŀ | 1,530 | 2254 | 765 | | eply within fourth month | I | | |
| 1001 790 2001 395 Utility filing fee | ľ | 2,080 | 2255 | | | eply within fifth month . | | | |
| 1002 350 2002 175 Design filing fee | 1401 | | 2401 2402 | | Notice of Appe | | | | |
| 1003 550 2003 275 Plant filing fee 1004 790 2004 395 Reissue filing foc | 1403 | | 2403 | | Request for one | support of an appeal | | | |
| 1005 160 2005 80 Provisional filing fee | | 1,510 | 1451 | | • | tute a public use proceeding | Î | | |
| SUBTOTAL (1) (\$) | 1452 | 110 | 2452 | | | ve - unevoidable | | | |
| | 1453 | 1,370 | 2453 | 685 | Petition to revi | ve - unintentional | | | |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE | ľ | 1,370 | 2501 | 685 | Utility issue fee | (or reissue) | | | |
| Total Claims 31 Extra Claims below Fee Paid 28 = X = O | 1502 | | 2502 | | Design Issue fo | | | | |
| Independent 4 2 20 V | 1503 | | 2503 | | Plant Issue fee | | | | |
| Multiple Dependent | 1460 1807 | | 1460 1807 | | | Commissioner under 37 CFR 1.17(a) | | | |
| Large Entity Small Entity | 1806 | | 1806 | | ~ . | Information Disclosure Strnt | | | |
| Fee Fee Fee Fee Fee Fee Description Code (\$) Code (\$) | 8021 | Λ | 8021 | | Recording each | patent assignment per | | | |
| 1202 18 2202 9 Claims in excess of 20 | | | | | buoberta (stutes | number of proporties) | | | |
| 1201 BB 2201 44 Independent claims in excess of 3 | 1809 | 790 | 2809 | 395 | (37 CFR 1.129 | ision after final rejection (a)) | | | |
| 1203 300 2203 150 Multiple dependent claim, if not paid | 1810 | 790 | 2810 | 395 | | onel invention to be | | | |
| 1204 88 2204 44 ** Reissue independent claims over original patent | 180 | 1 790 | 2801 | 395 | examined (37 (| OPR 1.129(b)) antinued Examination (RCE) | | | |
| 1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent | 1802 | | 1802 | 900 | • | xpedited examination | | | |
| SUBTOTAL (2) (\$) | Othe | r fcc (sp | acity) _ | | + | P. 17 W 1 W 1 | | | |
| **or number previously paid, if greater; For Reissues, see above | *Rec | luced by | Basic F | iling Fe | oe Paid | SUBTOTAL (3) (\$) 49 | 0.00 | | |
| SUBMITTED BY | | | | | (Complete (# applicable)) | | | | |
| Name (PrintTypo) JILL L. WOUDBURN | | | | | Telephone 219-764- | 4005 | | | |
| Signature Signature | | COLUMN TO STATE OF THE STATE OF | ALJHUU. | 1 - | · - · | Date 1/- 1/0 - 2/ | 201 | | |

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PAGE 3/23 * RCVD AT 11/15/2004 4:29:48 PM [Eastern Standard Time] * SYR:USPTO-EFXRF-1/1 * DNIS:8729306 * CSID:2197644070 * DURATION (mm-ss):07-34

PTO/SE/17 (10-04v2)
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| | | to respond to a collection of information unless it displays a valid OME control number. Complete if Known | | | | | | | |
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| for EV 2005 | 1 | | | | 9 | -19-20 | | | |
| for FY 2005 | | First | Named | Inven | | IMMER | | • | |
| Effective 1010112004, Petent fees are subject to annual revision. | | | | | | VAN | | | |
| Applicant claims small entity status. See 37 CFR 1.27 | | | | | | 43 | | | |
| TOTAL AMOUNT OF PAYMENT (\$) 430.00 | - | | | | | 173 1010 0043 US | | | |
| METHOD OF PAYMENT (check all that apply) | FEE CALCULATION (continued) | | | | | | | | |
| Chock Credit card Money Other None | 3. ADDITIONAL FEES | | | | | | | | |
| Deposit Account: | Large Entity Small Emity | | | | | | | | |
| Onne I | Fee Cod | Fee e (\$) | | Fee (\$) | Fee | Description | วก | Eon Bold | |
| Account SO - OS 77 | 1051 | | 2051 | • | Surcharge - la | te filing fee o | r oath | Fee Pald | |
| Deposit ROX HE DIAGNOSTICS GABH | 1052 | 50 | 2052 | | Surcharge • la | te provisional | filing fee or | | |
| Name | 1053 | 130 | 1053 | | cover sheet Non-English s | pecification | | | |
| The Director is authorized to: (chock all that apply) Charge fee(a) indicated below Credit any overpayments | 1812 | | 1 | | | | erte reexamination | | |
| Charge any additional fee(a) or any underpayment of fee(a) | 1804 | 920 | 1804 | 920* | Requesting pu Examiner action | iblication of S | IR prior to | | |
| Charge fee(s) indicated below, except for the filing fee | 1805 | 1,840* | 1805 | 1,840 | Requesting pu Examiner acti | ublication of S | IR after | | |
| to the above-identified deposit account. FEE CALCULATION | 1251 | 110 | 2251 | | Extension for | • | rst manth | | |
| 1. BASIC FILING FEE | 1252 | | 2252 | | Extension for | | | 430 | |
| Large Entity Small Entity | 1253 | 980 | 2253 | 490 | Extension for | reply within ti | hird manth | | |
| Fee Fee Fee Fee Description Fee Paid Code (\$) | 1254 | 1,530 | 2254 | 765 | Extension for | Isbly within fo | ourth month | | |
| 1001 790 2001 395 Utility filing fee | 1255 | 2,080 | 2255 | 1,040 | Extension for | raply within fi | Nh month | | |
| 1002 350 2002 175 Design filing fee | 1401 | 340 | 2401 | 170 | Notice of App | eet | | | |
| 1003 550 2003 275 Plant filling fee | 1402 | | 2402 | | Filing a brief it | | n appeal | | |
| 1004 790 2004 395 Reissue filing fee | 1403 | | 2403 | | Request for or | • | | | |
| 1005 160 2005 80 Provisional filing fee | 1452 | 1,510 | 1451 2452 | | | - | use proceeding | | |
| SUBTOTAL (1) (\$) | | 1,370 | 2452 | | Petition to revi Petition to revi | | | | |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE | 1501 | | 2501 | | Utility lasue fo | | | | |
| Total Claims below Fee Paid | 1502 | 490 | 2502 | | Design issue f | | | | |
| Independent | 1503 | 660 | 2503 | 330 | Plant issue fe | 3 | | | |
| (Noting Multiple Dependent 4 - 2 x C X C C C C C C C C | 1460 | 130 | 1460 | 130 | Petitions to the | e Commissio | ner | | |
| | 1807 | 50 | 1807 | 5 0 | Processing fe | e undar 37 Cl | FR 1.17(q) | | |
| Fee Fee Fee Fee Description | 1806 | 180 | 1806 | | | | Disclosure Stmt | | |
| Code (S) Code (S) | 8021 | 40 | 8021 | 40 F | Recording eac property (times | h patent essign of o | gnment per moerties) | · ' [] | |
| 1202 18 2202 9 Claims in excess of 20 1201 88 2201 44 Independent claims in excess of 3 | 1809 | 790 | 2809 | 395 | Filling a submis | ssion after fin | | i | |
| 1203 300 2203 150 Multiple dependent claim, if not paid | 1810 | 790 | 2810 | | (37 ČFR 1.129 For each addit | | | | |
| 1204 88 2204 44 Roissue independent daims over original patent | | | | • | boamined (37 | CFR 1.129(b) |)) j | | |
| 1205 18 2205 9 ** Reissue ctaims in excess of 20 | 1801 | 790 900 | 2801 1802 | | - | | mination (RCE) | | |
| and over original patent | 100% | 300 J | 1004 | 900 | Request for e of a design ap | blication plication | mination . | | |
| SUBTOTAL (2) (\$) | | fee (spe | | | | | | | |
| Tor number proviously paid, if greater, For Relssures, see above Reduced by Basic Filing Fee Paid SUBTOTAL (3) (5) 430.00 | | | | | | | | | |
| SUBMITTED BY (Complete (f applicable)) | | | | | | | | | |
| Name (PHIOTYPE) - LILL L. WOODBURN | | legistrati Stomer/ | | 30 | 1874 | Telephone | 219-764-9 | 1005 | |
| Signatum T. Wicklow | | | | | | Data | 11-16-20 | | |

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RECEIVED CENTRAL FAX CENTER

NOV 1 5 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Zimmer

Atty. Docket: RDID 0043 US

Application No.: 09/554,793

Group No.: 1743

Filed: September 19, 2000

Examiner:

Quan, Elizabeth S.

For: Capillary Active Test Element Having an Intermediate Layer

Situated Between the Support and the Covering

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT AND REPLY UNDER 37 C.F.R. 1.111

Sir:

INTRODUCTORY COMMENTS

In response to the Office Action mailed June 23, 2004, a two-month extension of time, entry of the following amendments and consideration of the accompanying remarks is respectfully requested.